

19900313

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 13, 1990
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wolfsheimer at 10:35 a.m. The meeting was recessed by Deputy Mayor Wolfsheimer at 12:08 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Wolfsheimer at 2:04 p.m. A quorum was not present. A quorum was present at 2:07 with Mayor O'Connor and Council Members Pratt and Bernhardt not present. Deputy Mayor Wolfsheimer adjourned the meeting at 5:53 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-275601
(attend U.S. Conference of Mayors)
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-excused by R-275483
(attend NLC meeting in Washington, D.C.)
 - (5) Council Member Bernhardt-excused by R-275319
(MTDB business in Washington, D.C.)
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (jb;eb)

FILE LOCATION: MINUTES

Mar-13-1990

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-202: (R-90-978) ADOPTED AS RESOLUTION R-275267

(Continued from the meeting of February 26, 1990, Item 103, at the City Manager's request, because the bidder requested additional time.)

Awarding a contract to House of Honda-Kawasaki for the purchase of 23 Police motorcycles (Kawasaki KZ1000) for a total cost of \$153,722.06, including tax, terms and trade-in allowance; authorizing the expenditure of an amount not to exceed \$153,722.06 (\$62,408.06 from Department/Fund No. 110/100, Organization No. 386, Object Account No. 6010, Job Order No. 111519), and (\$91,314 from Department/Fund No. 110/100, Organization No. 386, Object Account No. 6010, and Job Order No. 111519), for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C-1057/90)
Aud. Cert. 9000691.

FILE LOCATION: CONT-Purchase - House of Honda-Kawasaki
CONTFY90-1

COUNCIL ACTION: (Tape location: A045-228.)

MOTION BY HENDERSON TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-330:

Two actions relative to the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District:
(Clairemont Mesa Community Area. District-6.)

Subitem-A: (R-90-1051) ADOPTED AS RESOLUTION R-275268

Establishing an Underground Utility District to be known and denominated as the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District.

Subitem-B: (R-90-1052) ADOPTED AS RESOLUTION R-275269

Authorizing the expenditure of an amount not to exceed \$4,000 from CIP-37-028, Gas Tax Fund 32191, for the purpose of administering the Balboa Avenue (Clairemont Drive to 2,700' east of Clairemont Drive) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Balboa Avenue between Clairemont Drive and 2,700' east of Clairemont Drive. This is a scheduled project in the calendar year 1990 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9000568.

FILE LOCATION: STRT K-191

COUNCIL ACTION: (Tape location: A240-250.)

Hearing began at 10:46 a.m. and halted at 10:47 a.m.

MOTION BY HENDERSON TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331:

Request for Conditional Use Permit CUP-89-1098, proposing to construct a 55-foot high cellular receiving tower on top of an existing two-story building located on a 0.13 acre

site.

The proposed tower is intended to accommodate up to a maximum of ten microwave communication dishes for the U. S. West Telephone Company. The proposed communication dishes would be enclosed entirely within the proposed tower and would be screened from exterior views to the surrounding neighborhood.

The subject property is located on the east side of Sixth Avenue, between Robinson and Pennsylvania Avenues in the CN-1A Zone and is within the boundaries of the Uptown Community Plan. The subject property is further described as a portion of Lots 18 and 19, Block 4 of Crittenden Addition, Map-303.

(CUP-89-1098. District-8.)

Subitem-A: (R-90-1673) ADOPTED AS RESOLUTION R-275270

19900313

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-1098 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-1680) ADOPTED AS RESOLUTION R-275271,
GRANTED PERMIT

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-89-1098

COUNCIL ACTION: (Tape location: A251-325.)

Hearing began at 10:48 a.m. and halted at 10:51 a.m.

MOTION BY FILNER TO APPROVE STAFF'S RECOMMENDATION. Second by McCarty. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332: (O-90-134) INTRODUCED, TO BE ADOPTED MARCH 26, 1990

1) Rezoning properties located west of I-5, north of the Mexican border, south of Leon Avenue and the City of Imperial Beach, within the Tia Juana River Valley, San Ysidro and Otay Mesa-Nestor communities from FC, A-1-10, A-1-5, A-1-1, R1-5000 and M1-A Zones to FW, A-1-1 (FPF), A-1-5 (FPF), A-1-10, A-1-10 (FPF), R1-5000 (FPF), and M1-A (FPF) Zones; and

2) This rezoning constitutes an amendment to the Local Coastal Program to incorporate the Floodway (FW) and Floodplain Fringe (FPF) rezonings.

The purpose of this rezoning is to apply the Floodway (FW) Zone and the Floodplain Fringe (FPF) Overlay Zone to land that would be subject to flooding during a 100 year frequency flood event. The FW and FPF boundaries were determined by the Federal Emergency Management Agency (FEMA). The rezonings will also bring the properties into conformance with the Local Coastal Program and the adopted community plans.

(Case-89-0935. District-8.)

Introduction of an Ordinance for FW, A-1-1 (FPF), A-1-5 (FPF), A-1-10, A-1-10 (FPF), R1-5000 (FPF) and M-1A (FPF) Zoning.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A326-B110.)

Hearing began at 10:52 a.m. and halted at 11:16 a.m.

Testimony in opposition by Chet Baldiga, Dr. H.M. Davisson, Floyd Wirthin and Linda Michael.

MOTION BY FILNER TO APPROVE STAFF'S RECOMMENDATION. REFER THE POLICY ISSUES TO THE TRANSPORTATION AND LAND USE COMMITTEE.

Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333:

(Continued from the meeting of February 27, 1990, Item 330, at Matt Peterson's request.)

The subject property (approximately 51.3 acres) is located at a southerly terminus of La Trucha Street between Stargaze Avenue and Rotherham Way, and is further described as a portion of the southwest quarter of the northeast quarter of Section 12, Township 14 South, Range 3 West, S.B.B.M., in the Penasquitos East Community Plan area, proposing the actions listed below.

ADDITIONAL ACTIONS RELATING TO THE APPROVAL OF THE SUNSET HILLS NEIGHBORHOOD PARK AGREEMENT, REQUEST FOR WAIVER OF THE MIDRANGE DENSITY RESOLUTION R-268424, AND AN EXCEPTION FOR THE PENASQUITOS EAST FINANCING AND PHASING PLAN MAY BE TAKEN BY THE COUNCIL.

- 1) Rezoning the above described real property from Zone A-1-10 (HRO) to Zones R1-5000 (HRO) and OSP; and
- 2) Appeal of Raymond and Frederick Hampe, by Edward F. Gabrielson, from the decision of the Planning Commission in denying Vesting Tentative Map VTM-87-0115 (Hampe Hills), which proposes a 149-lot subdivision on the above described real property.

(Case & VTM-87-0115. District-1.)

19900313

Subitem-A: (R-89-1237) ADOPTED AS RESOLUTION R-275272

Adoption of a Resolution certifying that the information contained in the addendum to Environmental Mitigated Negative Declaration EMND-87-0115, dated 10/10/89, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-1520) ADOPTED AS RESOLUTION R-275273,
APPROVED THE MAP

Adoption of a Resolution approving or denying the map.

Subitem-C: (O-89-141) INTRODUCED, TO BE ADOPTED MARCH
26, 1990

Introduction of an Ordinance for R1-5000 (HRO) and Open Space Park (OSP) Zoning.

Subitem-D: (R-90-1521) ADOPTED AS RESOLUTION R-275274,
APPROVED THE AGREEMENT

Adoption of a Resolution approving or denying the park agreement.

Subitem-E: (R-90-1522) ADOPTED AS RESOLUTION R-275275,
APPROVED THE WAIVER

Adoption of a Resolution approving or denying the waiver of the midrange density resolution.

Subitem-F: (R-90-1523) ADOPTED AS RESOLUTION R-275276,
APPROVED THE EXCEPTION

Adoption of a Resolution approving or denying an exception for the Penasquitos East Financing and Phasing Plan.

Subitem-G: (R-90-1524) ADOPTED AS RESOLUTION R-275277

Adoption of a Resolution directing the City Manager to expedite and authorize an advance grading permit (encroachment).

FILE LOCATION: Subitems A,B,D,E,F,G SUBD - Hampe Hills;
Subitem C-- CONTFY90-1

COUNCIL ACTION: (Tape location: B111-C212.)

Hearing began at 11:17 a.m. and halted at 12:05 p.m.

Testimony in favor of the appeal by Matt Peterson, John Fowler, Allen Dickey, Louis Mangarelli, Sharon Purviance, Alecia Kroese, Jan Van Horne, David Warner, Jack Troxell and Kevin McNamara.

Testimony in opposition to the appeal by Christine Kesser.

MOTION BY McCARTY TO APPROVE SUBJECT TO THE FINALIZATION OF THE DOCUMENTS BY THE CITY ATTORNEY IN TWO WEEKS. ALSO, TO HAVE A VERY SOUND JOINT POWERS AGREEMENT WITH THE POWAY SCHOOL

DISTRICT

WITH THE FOLLOWING CONDITIONS: (1) THE AGREEMENT SHOULD INDICATE THAT ONCE THE PARK IS BUILT, THAT THE SCHOOL DISTRICT WILL BE USING THE PARK A HALF HOUR BEFORE CLASSES AND A HALF HOUR AFTER CLASSES. FOR THE BALANCE OF THE TIME, THE CITY WILL BE THE PRIMARY USER; (2) THE ACTIVE PARK ADJACENT TO THE SCHOOL DISTRICT WILL BE HELD IN FEE BY THE CITY OF SAN DIEGO; (3) THE PASSIVE PARK OF EIGHT ACRES ADJACENT TO THE SCHOOL, AND THE ACTIVE PARK WILL BE HELD IN FEE BY THE CITY; (4) THE SCHOOL WILL PUT UP A FENCE FOR THE BENEFIT OF THE BASEBALL AND SOFTBALL PLAYERS; (5) ORGANIZED GROUPS FROM THE CITY OF SAN DIEGO WILL HAVE USE OF THE BATHROOMS IN THE SCHOOL, UNDER THE CONTRACT, FOR THE TIMES IN WHICH THEY ARE IN PRIMARY USE OF THE PARK; (6) THE CITY OF SAN DIEGO WILL BE ENTERING ANOTHER COLLATERAL AGREEMENT WITH THE SCHOOL DISTRICT INDICATING THAT THE CITY WILL PAY ITS FAIR SHARE OF THE MAINTENANCE, AND THEY WILL PAY THEIRS.

APPROVE CONDITIONS WITH THE DEVELOPER AS FOLLOW: (1) SHOULD THE DEVELOPER, SUNBURST, ELECT NOT TO USE FBA (FACILITIES BENEFIT ASSESSMENT) CREDITS, THE DEVELOPER WILL PAY THE FEE AT THE TIME THAT THE BUILDING PERMIT IS ISSUED (PER SECTION 6.1 OF THE AGREEMENT); (2) THE PARK WILL BE COMPLETED BY THE TIME SCHOOL OPENS OR, AT THE LATEST, UPON FINAL INSPECTION OF THE FIRST 48 UNITS; (3) THE BASKETBALL COURT WILL BE BUILT ON A FIVE-ACRE ACTIVE PARK. IN LIEU OF CONSTRUCTING THE BATHROOMS, SUNBURST WILL GIVE THE CITY CASH TO BENEFIT RANCHO PENASQUITOS; (4) IF THE CITY HAS AN AGREEMENT WITH RESPECT TO SEWER LINE AND STREET REIMBURSEMENTS, THAT MONEY WILL COME TO THE CITY. THERE WILL BE AN AGREEMENT WITH RESPECT TO ANY PARK REIMBURSEMENTS COMING

BACK

TO THE CITY; AND (5) A TOTAL OF \$266,000 WILL GO INTO THE TRUST FUND FOR RANCHO PENASQUITOS. APPROVE THE MAP CONDITIONS AS CONTAINED IN THE THREE LETTERS FROM THE APPLICANT DATED MARCH 12, 1990 ADDRESSED TO THE MAYOR AND COUNCIL, CITY CLERK AND TO THE DISTRICT ONE OFFICE FROM MR. CLARK. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334:

(Continued from the meeting of February 27, 1990, Item 331, at Council Member Hartley's request, to allow time for the City Attorney to include the amendments to the ordinance and resolutions.)

Matter of areas that have been proposed in the Greater

North Park community to be classified as protected single-family neighborhoods. These areas are shown on Map 1A. Rezoning and amendments to the residential density designations in the Greater North Park Community Plan are proposed to implement the single family classifications in some areas as shown on Map 1B. In other areas the existing zoning and plan density designations are already consistent with the protected single-family classification. The Greater North Park Community Planning Committee has proposed an alternative recommendation as shown on Map 2.

Upon adoption of the protected single-family neighborhood maps by the City Council, those areas of the community that are not mapped as protected single-family neighborhoods, with the exception of an area bounded by I-8 to the north, El Cajon Boulevard to the south, Texas Street to the west and I-805 to the east, shall be released from the provisions of the Single-Family Protection Ordinance O-17250 N.S., adopted on February 21, 1989. Subsequently, property owners in these areas will be able to apply for permits to construct multi-family residential developments as permitted by the applicable zone. Larger scale maps showing proposed protected single-family neighborhoods and proposed rezonings and plan amendments are available for public review at the City Planning Department on the 6th Floor of the Executive Complex, located at 1010 Second Avenue, San Diego, CA 92101.

(Case-89-0728. District-3.)

Subitem-A: (O-90-127 REV. 1) INTRODUCED, TO BE ADOPTED
MARCH 26, 1990

Introduction of an Ordinance for R1-5000 Zoning.

Subitem-B: (R-90-1060 REV. 1) ADOPTED AS RESOLUTION
R-275278

Adoption of a Resolution approving the plan amendment.

Subitem-C: (R-90-1061) ADOPTED AS RESOLUTION R-275279

Adoption of a Resolution to release certain property from the provisions of the Single-Family Neighborhood Protection Ordinance.

FILE LOCATION: Subitem-A --, Subitems B and C LAND-Greater
North Park Community Plan

COUNCIL ACTION: (Tape location: D053-322.)

Hearing began 2:08 p.m. and halted 2:29 p.m.

Testimony in opposition by Marguerite Stitt and Margaret Curtis.

MOTION BY HARTLEY TO ACCEPT THE STAFF RECOMMENDATIONS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335: (O-90-153) INTRODUCED AND ADOPTED AS ORDINANCE
O-17442 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year", by transferring the sum of \$360,804 from the Local Transportation Funds under the Transportation Development Act of 1971, all in accordance with Public Utilities Code Sections 992233 and 992234; directing the Auditor and Comptroller to set aside, transfer and allocate the \$360,804 appropriated above to CIP-58-045, Sunset Cliffs Boulevard Bridge Bikeway.
(Mission Bay and Ocean Beach Community Area. Districts-2 and 6.)

CITY MANAGER SUPPORTING INFORMATION: The Fiscal Year 1990 Capital Improvements Program provides for the widening of Sunset Cliffs Boulevard Bridge to accommodate a ten-foot wide Class I bike path, and for the placement of approximately 3,000 linear

feet of concrete median barrier along Sunset Cliffs Boulevard from the southerly end of Sunset Cliffs Boulevard Bridge northerly to the West Mission Bay Drive off-ramp. The project connects Mission Bay Park bike path with the Ocean Beach bike path, providing a safe route for bicyclists crossing the bridge. The concrete median barrier prevents vehicles from crossing over the median into oncoming traffic.

Aud. Cert. 9000669.

NOTE: See Item 207 on the docket of Monday, March 12, 1990 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A230-239.)

MOTION BY HENDERSON TO DISPENSE WITH THE READING, INTRODUCE AND ADOPT THE ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-336:

Appeal of the Torrey Pines Community Planning Group, by Opal Trueblood, et al, for a hearing of an appeal from the decision of the Planning Commission in approving Coastal Development Permit CDP-89-0674 to construct a two-story, 4,350-square-foot single-family residence on a vacant lot. The subject property, a 0.14-acre site, is located on the east side of Via Grimaldi between Via Aprilia and Via Latina, and is described as Lot 8, Block 14, Del Mar Terrace, Map-1527, in Zone R1-5000 (single-family residential, 5,000-square-foot minimum lot size) within the Torrey Pines Community Plan area.
(CDP-89-0674. District-1.)

Subitem-A: (R-90-1559) ADOPTED AS RESOLUTION R-275280

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0674 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-90-1560) ADOPTED AS RESOLUTION R-275281
DENYING APPEAL, GRANTING PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: Subitems A and B PERM CDP-89-0674

COUNCIL ACTION: (Tape location: D336-E605.)

Hearing began 2:30 p.m. and halted 3:27 p.m.

Testimony in favor by Alice Hoenecke, L. J. Deftos, Wes Hilton and Opal Trueblood.

Testimony in opposition by Jerry Dawson, Debbie Carnich, and

Armstead Smith.

The hearing was closed.

MOTION BY ROBERTS TO DENY THE APPEAL AND APPROVE THE PROJECT SUBJECT TO THE CONDITION TO BRING THE WALL INTO COMPLIANCE WITH THE CODE. Second by McCarty. The question was divided.

Motion by McCarty to delete Condition No. 11 of the permit relating to the wall. Second by Hartley. Failed by the following vote: Yeas-3,7. Nays-1,2,6,8. Not present-4,5,M.

The vote on the main motion passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Motion by McCarty to refer to Rules the question of whether or not Council hears appeals. Second by Wolfsheimer. No vote.

Mar-13-1990

ITEM-337:

Appeal of Frances Grosset et al, for a hearing of an appeal from the decision of the Planning Commission in granting Planned Infill Residential Development Permit PIRD-87-0269 and Tentative Map (Vista de Alcala) TM-87-0269 for a

proposed subdivision of a 2.26-acre parcel into six parcels and the construction of four single-family units. The subject property is located west of Wilshire Drive, north of 35th Street, east of Cromwell Place and south of Camino Del Rio South and is more particularly described as Lot 3 and a portion of Lot 4, Mission View Point Map-2269 in Zones R1-5000 and R1-40000 within the Mid-City Community Plan area.

(PIRD/TM-87-0269. District-3.)

Subitem-A: (R-90-) FILED

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0269 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-90-1557) ADOPTED AS RESOLUTION R-275283
GRANTING APPEAL, DENYING PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings

to support Council action.
Subitem-C: (R-90-1558) ADOPTED AS RESOLUTION R-275284
GRANTING APPEAL, DENYING MAP

Adoption of a Resolution granting or denying the appeal and
granting or denying the map, with appropriate findings to
support Council action.

FILE LOCATION: Subitems A and B PERM PIRD-87-0269,
Subitem-C SUBD-Vista de Alcala

COUNCIL ACTION: (Tape location: F013-G507.)

Hearing began 3:27 p.m. and halted 4:45 p.m.

Motion by Hartley to continue one week for Frances Grosset to be
present. Second by Filner. The motion was trailed for public
testimony.

Testimony in opposition to a continuance by Mike McDade.

The vote was taken on the motion to continue which failed by the
following vote: Yeas-1,2,3,8. Nays-6,7. Not present-4,5,M.

Testimony in favor by Judy Elliot, Mary De Brunner, Timonthy
Busse, Linda Michael, Beverly Parenti, and Alice Honeck.

Testimony in opposition by Mike McDade, Ralph Curtis, and Robert
Demers.

MOTION BY HARTLEY TO UPHOLD THE APPEAL AND DENY THE PERMIT AND
DENY THE MAP, APPROVING THE FINDINGS IN THE PLANNING DEPARTMENT
REPORT ON PAGES 6 AND 7. Second by McCarty. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-not present, Bernhardt-not present, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-338: UNFINISHED BUSINESS TO MARCH 19, 1990.

(Continued from the meetings of January 23, 1990, Item 335
and February 13, 1990, Item 334; last continued at Deputy
Mayor Wolfsheimer's request, to allow the Planning
Department to negotiate with the developer on environmental
problems and other concerns.)

Appeals of Opal Trueblood, et al, from the decision of the
Planning Commission in approving Planned Industrial
Development, Coastal Development and Hillside Review
Permits and Tentative Map, Case-88-0244 (La Jolla Pines
Technology Centre), for the development of a 56.4 acre site
with scientific research uses. The project site is to be
divided into eight lots and allows up to 831,600 square

feet of uses on the site. The subject property is located at the northeast corner of Genesee Avenue and North Torrey Pines Road, in Zone SR (Scientific Research), in the University Community Plan area, and is further described as Pueblo Lot 1323, Map-36, Parcels 1 and 2, Parcel Map PM-15048.

(Case-88-0244. District-1.)

Subitem-A: (R-90-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0244 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-90-)

Adoption of a Resolution granting or denying the appeal and granting or denying the planned industrial development permit, with appropriate findings to support Council action.

Subitem-C: (R-90-)

Adoption of a Resolution granting or denying the appeal and granting or denying the coastal development/hillside review permit, with appropriate findings to support Council action.

Subitem-D: (R-90-)

Adoption of a Resolution granting or denying the appeal and granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION: Subitems A and B PERM-PID-88-0244, Subitem-C PERM-CDP/HRP-88-0244, Subitem-D SUBD-La Jolla Pines Technology Center.

COUNCIL ACTION: (Tape location: G508-I332.)

Hearing began 4:45 p.m. and halted due to lack of a quorum at 5:48 p.m.

Testimony on request for a continuance by Opal Trueblood, Jim Milch, and Linda Michael.

Testimony in favor of the appeal by Opal Trueblood, J.D.

Frautschy, Eva Richman, Dave Odell, Benny Chien, Maurie Brown, and Linda Michael.

Testimony in opposition by Jim Milch and William E. Nelson.

A quorum was not present at 5:48 p.m. and the hearing was declared to be unfinished business and trailed to the next meeting of the Council to be held on Monday, March 19, 1990.

ITEM-339: (O-90-148) INTRODUCED AND ADOPTED AS ORDINANCE
O-17443 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17326, as amended and adopted therein, to establish two special funds to be entitled "Child Care Trust Fund" (No. 10403), and "Child Care Construction Trust Fund" (No. 10402), said funds to earn and be credited with interest earnings in proportion to total earnings received by the City; and authorizing the City Auditor and Comptroller to accept for deposit and to disburse monies from this fund as directed by the City Manager.

CITY MANAGER SUPPORTING INFORMATION: The City has recently received a generous \$100,000 donation from an anonymous donor to be used for a child care project at Washington Elementary School. The City also received a like amount earlier from the WesTerra Development Corporation for a child care project in the Eastgate Technological Park. The WesTerra funds were not deposited with the City, but were administered privately. It is anticipated that additional donations may be periodically received by the City specifically for child care purposes. In order to have a designated fund to deposit the donations, it is proposed that a "Child Care Trust Fund" be established. It is

also being proposed that an additional fund be established for those instances where a donor desires the funds to be used for child care construction purposes. In many cases, monies may be donated for specific child care programs. In cases where monies are unspecified, the Child Care Advisory Board would act to advise the Child Care Coordinator and the Community Services Program of the City Manager's Office on the allocation of funds.

NOTE: See Item 208 on the docket of Monday, March 12, 1990 for the first public hearing. Today's action is the second public

hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D330-336.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S500: PROCLAIMED

Proclaiming March 11-17, 1990 to be "Camp Fire Week" in San Diego and congratulating the Camp Fire Council of San Diego County for its tremendous efforts to help youth.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A010-044.)

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wolfsheimer at 5:53 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I332).